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June 20, 2006

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VIA FACSIMILE AND U.S. MAIL

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Re: *A.G., a minor child; D.A., a minor child; A.L., a minor child; M.K., a minor child; and M.H., a minor child, vs. Autauga Co. BOE, Joseph L. Butler and Terry Wright*
United States District Court, Middle District of Alabama
Civil Action No. : 2:05-CV-1090-W
Our File No. : (242) 050055

Dear Gentlemen:

I am in receipt of Mike's June 14, 2006 letter and the deposition notice of Lori McVay served in the above referenced case. Regarding the deposition notice of Ms. McVay, as I discussed with Mike at the conclusion of Ms. Smith's deposition, I would appreciate being in the loop when any depositions are scheduled. Despite the fact that no one conferred with me on my or Mr. Butler's availability on June 29, 2006, Mr. Butler and I will be available to attend the deposition on that day. However, Mr. Butler has a Board meeting that night, and so he will need to leave at 5:00. If you anticipate Ms. McVay's deposition taking longer than three and a half hours that afternoon, please let me know immediately as we will need to reschedule her deposition.

Regarding Mike's letter listing the employees of the Autauga County Board of Education whose depositions he would like to take, please be advised that the defendants will not agree to allow any Autauga County Board of Education employee to sit for his or her deposition until the conclusion of all plaintiffs' depositions. Since I understand from Mike that Ashlyn Guillotte is out of the state until the beginning of the school year and her deposition cannot be taken until that time, it looks as though none of these educators will sit for their depositions before the end of summer. If you have an alternate plan for taking Ms. Guillotte and her parents' depositions, please let me know immediately.

Sincerely,

Kate Hortberg
Katherine C. Hortberg

KCH/dpt

